

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Kevin Andreal Light,	)	
	)	
Plaintiff,	)	
	)	Civil Action No.: 2:06-2322-TLW-RSC
vs.	)	
	)	
Phillip C. Anderson, Major at Greenwood	)	
County Detention Center; and Joyce Kirk,	)	
Nurse at Greenwood County Detention	)	
Center,	)	
	)	
Defendants.	)	
	)	

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**ORDER**

Plaintiff, Kevin Andreal Light, (“plaintiff”) brought this civil rights action under 42 U.S.C. § 1983, as a former pre-trial detainee now a state prisoner proceeding *pro se* and *in forma pauperis* against defendants Phillip C. Anderson, Major at Greenwood County Detention Center, and Joyce Kirk, Nurse at Greenwood County Detention Center, (“defendants”) on August 18, 2006. (Doc. #1). The defendants filed motions for summary judgment on November 30, 2006, and on December 7, 2006. On December 5, 2006, and December 8, 2006, plaintiff was provided copies of the motions and was given an explanation of dismissal and summary judgment procedure as well as pertinent extracts from Rule 12 and 56 of the Federal Rules of Civil Procedure as required by Rosoboro v. Garrison, 528 F.2d 309 (4<sup>th</sup> Cir. 1975). (Doc. #'s 19, 21). On March 2, 2007, the plaintiff filed a “Request for Jury Trial” which the Magistrate Judge considered as both a response to defendants’ motions for summary judgment and a cross motion for summary judgment. (Doc. #'s 24, 25). Additionally, plaintiff opposed the defendants’ motions on March 27, 2007. (Doc. #29). This matter

now comes before this Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Robert S. Carr, to whom this case had previously been assigned. (Doc. #31). In the Report, Magistrate Judge Carr recommends that the District Court grant summary judgment in favor of the defendants and that the action be deemed a “strike” against the plaintiff under 28 U.S.C. § 1915A. (Doc. #31). Objections to the Report were due April 19, 2007. The plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

The Court has carefully reviewed the Magistrate Judge’s Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge’s Report and Recommendation is **ACCEPTED** (Doc. #31) and the defendants’ motions for summary judgment are **GRANTED** (Doc #’s 18, 20) and the action is deemed a “strike” against the plaintiff under 28 U.S.C. § 1915A.<sup>1</sup>

**IT IS SO ORDERED.**

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S/Terry L. Wooten

Terry L. Wooten  
United States District Judge

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<sup>1</sup>The Court understands that as the Report grants defendants’ motions for summary judgment, the Report **denies** plaintiff’s motion for summary judgment, to the extent it was considered as such. (Doc. #’s 24, 25).

September 21, 2007  
Florence, South Carolina